

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.21877 of 2008
MANTOO SINGH
Versus
THE STATE OF BIHAR

03/ 06.08.2008

Heard.

I was taken through the contents of the case diary, especially of those paragraphs which have been referred to by the learned Addl. Sessions Judge, Aurangabad in his rejection order to record that there was allegation against the petitioner. The learned Judge did not indicate as what was the substance of those allegations. Paragraph 36 contains the statement of the owner of the vehicle about the vehicle going missing with the driver. Paragraph 37 records the identification of the dead body that of the driver and two paragraphs 72 and 75 contained the confessional statements of the co-accused implicating the petitioner. One is hardly required to say that the above statements could not be materials making out allegations against the petitioner.

Let petitioner Mantoo Singh be released from custody on execution of a bond of Rs. 10,000/- (ten

thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Deo P.S. Case No. 45 of 2007.

DKS/

(Dharnidhar Jha, J)

